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*Attorneys for Defendant Samsung Electronics America, Inc.*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

THOMAS ROGER WHITE, JR., DAVID  
ESPINOZA, and CHRISTOPHER MILLS,  
on behalf of themselves and all others  
similarly situated,

Plaintiffs,

v.

LG ELECTRONICS, INC., LG  
ELECTRONICS U.S.A., INC., SAMSUNG  
ELECTRONICS CO. LTD., SAMSUNG  
ELECTRONICS AMERICA, INC., SONY  
CORPORATION, and SONY  
ELECTRONICS CORPORATION,

And

John and Jane Does (1-Unlimited)

And

ABC Corporations (1-Unlimited),

Defendants.

Civil Action No. 17-01775 (MCA) (SCM)

*Document electronically filed*

**DECLARATION OF  
SIMON J. FRANKEL, ESQ. IN SUPPORT  
OF APPLICATION FOR ADMISSION  
*PRO HAC VICE***

I, **SIMON J. FRANKEL**, of full age, make this application to appear as counsel *pro hac vice* in the above-captioned action, and declare as follows:

1. I am a Partner in the law firm of Covington & Burling LLP, One Front Street, San Francisco, CA 94111-5356. I am fully familiar with the facts and circumstances surrounding this litigation, and I submit this Declaration in support of the application for my admission *pro hac vice* pursuant to Local Civil Rule 101.1(c)(3).

2. My law firm has been retained as counsel for Defendant Samsung Electronics America, Inc. in this litigation. The issues raised in this litigation involve areas with which I have experience in the law.

3. Attached hereto as Exhibit A is a true and correct table that identifies, to the best of my knowledge, my bar admissions, the year in which I was admitted to each bar, and, for each bar, the name and address of the official or office maintaining the roll of its members.

4. I am not under suspension or disbarment by any court and have never been subjected to any disciplinary action by any court or governing body.

5. I am ineligible for plenary admission to the bar of this Court pursuant to Local Civil Rule 101.1(b).

6. I am willing to submit to the jurisdiction of this Court and to comply with all of its rules and procedures. To ensure my familiarity with these regulations I have reviewed the local rules of this Court.

7. I have never been convicted of a felony crime, censured, suspended, disciplined, or disbarred by any court, nor are there any disciplinary or contempt proceedings involving me pending before any court, nor have I been denied admission to any court during the last five years.

8. I agree to abide by the ethical standards governing the practice of law in this Court pursuant to the New Jersey State Lawyer's Code of Professional Responsibility.

9. I agree to abide by Local Civil Rule 101.1(c).

10. Pursuant to the rules of this Court, Michael R. McDonald, Esq., or another member of the law firm Gibbons P.C., who is a member in good standing of the bars for the State of New Jersey and the United States District Court for the District of New Jersey, will review and sign all pleadings, briefs, and other papers filed with the Court on behalf of Defendant Samsung Electronics America, Inc. and will be present for all appearances before the Court unless previously excused from appearing by the Court.

11. I agree to strictly observe the dates fixed for scheduling conferences, motions, briefs, pre-trial conferences, trial or other proceedings, to submit to the jurisdiction of this Court for the purposes of sanctions, discipline, or other such action as the Court may deem proper, and to otherwise abide by all the terms and conditions of Local Civil Rule 101.1(c). I agree to be bound by the rules governing practice in the New Jersey Courts, including the disciplinary rules.

12. Pursuant to Local Civil Rule 101.1(c)(2), I agree to pay, or cause to be paid, the annual fee required by the New Jersey Lawyers' Fund for Client Protection as provided by New Jersey Court Rule 1:28-2(a) and as directed by the Trustees of the Fund. I further agree that, pursuant to Local Civil Rule 101.1(c)(3), I shall pay, or cause to be paid, \$150.00 to the Clerk of the United States District Court for the District of New Jersey.

13. In light of the foregoing, I respectfully request on behalf of Defendant Samsung Electronics America, Inc. that I be admitted *pro hac vice* for the purpose of representing them in this matter in association with Gibbons P.C.

I declare under penalty of perjury that the foregoing is true and accurate. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

A handwritten signature in blue ink, appearing to read "Simon J. Frankel", written over a horizontal line.

Simon J. Frankel, Esq.

Dated: August 11, 2017

## **EXHIBIT A**

**Bar Admissions**

<b>Bar</b>	<b>Year of Admission</b>	<b>Name and Address of the Official or Office Maintaining the Bar's Roll</b>
State of California	1994	The Office of Admissions, The State Bar of California, 1149 S. Hill Street, Los Angeles, California 90015-2299
Northern District of California	1994	Phillip Burton Federal Building & United States Courthouse, 450 Golden Gate Avenue, San Francisco, California 94102
Eastern District of California	1994	Office of the Clerk, 501 I Street Room 4-200, Sacramento, CA 95814
U.S. Court of Appeals - Federal Circuit	1999	Attorney Admissions, 717 Madison Place, N.W., Washington, D.C. 20439
Central District of California	2002	Attorney Admissions, 350 W 1st Street, Suite 4311, Los Angeles, CA 90012-4565
U.S. Court of Appeals - Ninth Circuit	2002	Attorney Admissions, The James R. Browning Courthouse, 95 7th Street, San Francisco, CA 94103
U.S. Supreme Court	2004	Admissions Office, One First Street, N.E., Washington, D.C. 20543
U.S. Court of Appeals - Seventh Circuit	2005	Attorney Admissions, 212 S. Dearborn Street, Room 2722, Chicago, IL 60604
Southern District of California	2006	Attorney Admissions, 333 W. Broadway #420, San Diego, CA 92101
U.S. Court of Appeals - First Circuit	2008	Attorney Admissions, John Joseph Moakley U.S. Courthouse, 1 Courthouse Way, Boston, MA 02210
U.S. Court of Appeals - Sixth Circuit	2015	Office of the Clerk, Potter Stewart U.S. Courthouse, 100 East Fifth Street, Cincinnati, OH 45202